CLASSIFICATION OFFICE DECISION

Title of publication: a3866dn.wmv

Other known title(s): Not stated

OFLC ref: 0901785.000

Medium: Computer Moving Image File

Director: Not stated

Producer: Not stated

Country of origin: Japan

Language: Japanese

Applicant: Comptroller of Customs

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 12 February 2010

Date of direction to issue a label: No direction to issue a label has been issued

	Components	Running time
Timed component(s):	a3866dn.wmv	32:40
Total running time:		32:40

Summary of reasons for decision:

The computer moving image file is deemed objectionable under ss3(2)(a) and 3(2)(b) of the Films, Videos, and Publications Classification Act 1993 because it promotes and supports the use of violence and coercion to compel any person to submit to sexual conduct, and tends to promote and support the exploitation of young persons for sexual purposes. The sexually explicit images display a male teacher exploiting his position of power and trust and coercing two students to participate in and submit to sexual activity.

The classification of this publication interferes with the freedom of expression as set out in the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the use of violence and coercion to compel any person to submit to sexual conduct, and those that tend to promote and support the exploitation of young persons for sexual purposes.